

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

WELLS FARGO BANK, N.A., as Trustee for the Registered Holders of Banc of America Commercial Mortgage Inc., Commercial Mortgage Pass-Through Certificates, Series 2007-5, acting by and through its special servicer, C-III ASSET MANAGEMENT LLC,

Plaintiff,
-against-

BANK OF AMERICA, N.A.,

Defendant.

1:10-cv-09584 (JPO)

ELECTRONICALLY FILED

**NOTICE OF CROSS-
MOTION**

PLEASE TAKE NOTICE that Defendant Bank of America, N.A. ("Bank of America"), upon the accompanying Memorandum of Law in Opposition to Plaintiff's Motion for Summary Judgment and in Support of its Cross-Motion for Partial Summary Judgment, Statement of Undisputed Material Facts Pursuant to Local Rule 56.1 in Support of its Cross-Motion for Partial Summary Judgment, and Declarations of Jason M. Halper, Amanda Demers, John J. Galvin, MAI, Deborah A. Schiavo, and Timothy W. Dwyer, and the exhibits attached thereto, Bank of America moves this Court, before the Honorable J. Paul Oetken, U.S.D.J., United States Courthouse, 500 Pearl Street, New York, New York, 10007, for the entry of an Order denying Plaintiff's Motion for Summary Judgment and granting Bank of America's Cross-Motion for Partial Summary Judgment.

Dated: July 27, 2012
New York, New York

CADWALADER, WICKERSHAM & TAFT LLP

By: /s/ *Gregory A. Markel*

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